

Patent  
Our Docket: 5026C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Li et al.

) Art Unit: 1633  
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Serial No.: 10/632,302

) Examiner: Robert M. Kelly  
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Filed: August 1, 2003

For: Genetic modification of the lung as  
portal for gene delivery

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are  
being brought to the attention of the Examiner for consideration in connection with the examination of the  
above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

☒ Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 07-1074 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

**II. Copies of the Cited Items:**

☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.

**III. Concise Explanation of Relevance:**

Citation of the above documents shall not be construed as:

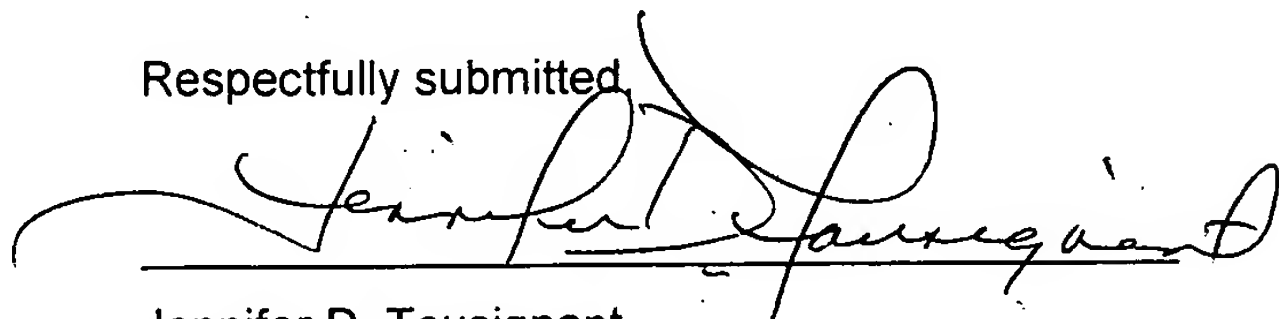
1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. **07-1074** for any additional fees required in connection with the filing of this Information Disclosure Statement.

1/30/06

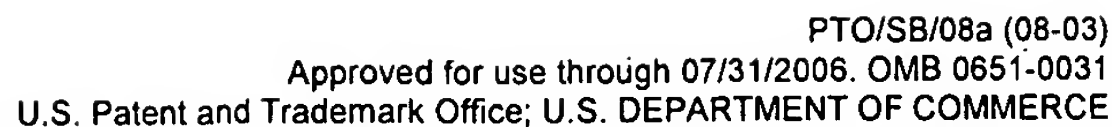
Date

Respectfully submitted



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Substitute for form 1449A/PTO

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Sheet	1	of	2
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<i>Application Number</i>	10/632,302
<i>Filing Date</i>	August 1, 2003
<i>First Named Inventor</i>	Li, Chester
<i>Art Unit</i>	1633
<i>Examiner Name</i>	Robert M. Kelly
<i>Attorney Docket Number</i>	5026CON

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	7	WO 96/40964	12-19-1996	Inex Pharmaceutical Corp.		
	8	WO 97/17063	5-15-1997	Microbiological Research Authority		
	9	WO 97/19177	05-29-1997	Women's and Children's Hospital		
	10	WO 00/33886	06-15-2000	Genzyme Corporation		

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Signature**

Date  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

2

**Complete if Known**

Application Number	10/632,302
Filing Date	August 1, 2003
First Named Inventor	Li, Chester
Art Unit	1633
Examiner Name	Robert M. Kelly
Attorney Docket Number	5026CON

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	11	ARMENTANO, D. et al., "Effect of the E4 Region on the Persistence of Transgene Expression from Adenovirus Vectors", Journal of Virology, March 1997, 71(3):2408-2416	
	12	McDONALD, R.J. et al., "Safety of Airway Gene Transfer with Ad2/CFTR2:Aerosol Administration in the Nonhuman Primate", Human Gene Therapy, March 1, 1997, 8:411-422	
	13	KAPLAN, J.M. et al., "Potentiation of Gene Transfer to the Mouse Lung by Complexes of Adenovirus Vector and Polycations Improves Therapeutic Potential", Human Gene Therapy, July 1, 1998, 9:1469-1479	
	14	ZIEGLER, R.J. et al., "Correction of Enzymatic and Lysosomal Storage Defects in Fabry Mice by Adenovirus-Mediated Gene Transfer", Human Gene Therapy, July 1, 1999, 10:1667-1682	
	15	POENARU, Livia, "Particularities of lysosomal storage diseases gene therapy", Gene Therapy, 1996, 3:1039-1041	
	16	BEERS, M.H. and BERKOW, R., The Merck Manual of Diagnosis and Therapy, 17 <sup>th</sup> Edition, 1999, pp. 214-215, 2338 and 2408	

Examiner  
SignatureDate  
Considered

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